

Dear Sir or Madam, and To Whom It May Concern,

I understand the Consumer Bankers Association is encouraging the FCC to impose the federal "established business relationship" exemption to Indiana's Telephone Privacy law.

As I understand it, the current Indiana law already has loopholes to allow for such exemptions such as creditors attempting to collect debts, and for other loopholes for certain types of businesses. Further, I already have the capability of signing statements with select businesses to give them permission to contact me as-needed for any reason if I so choose to do so, and that gives me the power to only select businesses of my choice. Further, I believe that I have already signed statements acknowledging receipt of materials from at least one of the Banks that is party to the action with the FCC. Such statements were given to me as notice that other agencies within the same corporate banking umbrella might share information and might contact me regarding other banking products available. So if the banks are already providing such information to their clients and allowing such waivers, what is the point of providing the banks further leeway in such contacts? The only possible explanation is that the "established business relationship" question to be decided by the FCC would give banks the power to contact existing customers who have denied that their consent be given. Such an approach would certainly undermine the effect of Indiana's privacy law as it applies to banking institutions and their various corporate entities.

If the FCC were to consider Indiana's Telephone Privacy law to be too broad and that the "established business relationship" language be imposed, I would ask for the FCC to consider the historical context of the "established business relationship" exemption.

Was the exemption created before, during or after the recent deregulation of U.S. banks that gave banks the power to centralize and offer a broader variety of products such as insurance, financial advice, investments, etc., to consumers? I do not know the answer, but if the exemption was created before the banking deregulations occurred, it is clear that large banking conglomerates that exist today did not exist at the time that the "established business relationship" exemption was created, and that such huge banking entities were not able to be considered at the time that the exemption was created. Therefore, if the FCC were to impose an exemption based on "established business relationship" theory, the huge banking giants of today are among the worst possible examples of companies that should be considered for the exemption. Since they did not exist when the exemption was created, such entities were clearly outside of the original intent of the exemption.

Thanks for your time,
Jeff Brown

Just a private citizen, not a lobbyist, lawyer, politician
or anyone with financial interest in the exemption.

You have my permission to further discuss with me my thoughts
regarding this subject at any time via my telephones,
cell # 317-289-5362 and home # 317-877-2417.

Thanks again!